

JANUARY 14, 2008

MICHAEL W. DOBBINS  
CLERK, U.S. DISTRICT COURTUNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

08 C 317

David Sima,

Plaintiff,

v.

Board of Education of Township High  
School District 214,

Defendant.

Case No. \_\_\_\_\_

JUDGE HART  
MAGISTRATE JUDGE COLE**NOTICE OF REMOVAL**

Defendant Board of Education of Township High School District 214 (the "Board"), pursuant to 28 U.S.C. §§ 1441 and 1446, submits this Notice of Removal of this lawsuit to the United States District Court for the Northern District of Illinois, Eastern Division (the "Court"), and states:

1. On November 28, 2007, a lawsuit was filed by Plaintiff David Sima ("Plaintiff") against the Board in the Circuit Court of Cook County, Illinois, and designated as Case No. 07-CH-34802 (the "Lawsuit"). A copy of the Lawsuit is attached hereto as Exhibit A.

2. The Lawsuit is a civil action alleging two claims under the Due Process Clause of the United States Constitution and 42 U.S.C. § 1983 (Counts III and IV). In addition, Plaintiff alleges two state law claims: (1) breach of an employment contract (Count I); and (2) petition for writ of certiorari (Count II).

3. The Lawsuit is removable under 28 U.S.C. § 1441(b) because it involves a claim arising under the laws of the United States over which this Court has original federal question jurisdiction under 28 U.S.C. § 1331. Specifically, this Court has original federal question jurisdiction over Plaintiff's two claims arising under the Due Process Clause of the U.S.

Constitution. Moreover, this Court may exercise supplemental jurisdiction over the two remaining state law claims because the claim forms part of the same case or controversy as the federal question claim. See 18 U.S.C. § 1367.

4. The Board was served with a copy of the Complaint on December 17, 2007, and therefore, this Notice of Removal is timely filed.

5 This Notice is accompanied by copies of the process, pleading, and orders served upon Defendants in this action, all of which are attached as Exhibit A.

6 A copy of this Notice of Removal will be filed in the Circuit Court of Cook County, Illinois.

WHEREFORE, Defendant Board of Education of Township High School District 214 notifies the Court of the removal of this action from the Circuit Court of Cook County, Illinois to the United States District Court for the Northern District of Illinois, Eastern Division.

Respectfully submitted,

BOARD OF EDUCATION OF MCHENRY  
COMMUNITY HIGH SCHOOL DISTRICT 156

By: s/Donald Y. Yu - 06287737  
One of Its Attorneys

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Dated: January 14, 2008

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing NOTICE OF REMOVAL has been filed using the CM/ECF system and will send notification of same to the following:

Jerome F. Marconi  
555 W. Jackson Blvd., Suite 700  
Chicago, IL 60661

s/Donald Y. Yu - 06287737  
Donald Y. Yu